



Patent
Attorney's Docket No. 030662-066

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
Keiko Neriishi et al.)	Group Art Unit: 1634
Application No.: 09/749,410)	Examiner: CARLA J MYERS
Filed: December 28, 2000)	Confirmation No.: 5255
For: DNA DETECTION DEVICE)	

**REQUEST TO APPLY PREVIOUSLY PAID ISSUE FEE AND PUBLICATION FEE
FOR PAYMENT OF ISSUE FEE AND PUBLICATION FEE IN CONNECTION
WITH THE NEW NOTICE OF ALLOWANCE AND ISSUE FEE(S) DUE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby request that the Issue Fee and Publication Fee previously paid on December 8, 2003 be applied to the new Notice of Allowance and Fee(s) Due mailed on June 16, 2004.

A Notice of Allowance and Fee(s) Due was issued on September 9, 2003. In response thereto, applicants timely submitted a total of \$1,630.00 (\$1,330 for the Issue Fee and \$300 for the Publication Fee) on December 8, 2003. A copy of the Payment of Issue Fee and Publication Fee, Part B – Fee(s) Transmittal forms, and the date-stamped postcard receipt from December 8, 2003 is attached as Exhibit A.

On April 20, 2004, a Notice of Withdrawal from Issue Under 37 C.F.R. § 1.313(b) was mailed. A new Notice of Allowance and Fee(s) Due was then mailed by the United States Patent and Trademark Office on April 21, 2004. Shortly thereafter, on May 6, 2004, another Notice of Withdrawal from Issue Under 37 C.F.R. § 1.313(b) was mailed from the United States Patent and Trademark Office. This Notice of Withdrawal from May 6, 2004

was apparently in error. *See* Notice of Allowability mailed on June 16, 2004. Accordingly, a new Notice of Allowance was mailed by the United States Patent and Trademark Office on June 16, 2004.

The Notice of Withdrawal, both the Notice mailed on April 20, 2004 and the Notice mailed on May 6, 2004, states that "the issue fee can be applied toward payment of the issue fee in the amount identified on the new Notice of Allowance and Issue Fee Due upon written request." However, the new Notice of Allowance and Fee(s) Due indicates that \$0 is due for the Issue Fee and \$0 is due for the Publication Fee.

Nonetheless, applicants hereby request in writing as instructed in the Notice of Withdrawal to apply the Issue Fee and Publication Fee previously paid on December 8, 2003 in the total amount of \$1,630.00 to the new Notice of Allowance mailed on June 16, 2004.¹ A completed and signed copy of the newly issued Part B - Fee(s) Transmittal is attached hereto.

The Director is hereby authorized to charge any fees under 37 C.F.R. § 1.18, 1.19, and 1.21 that may be required by the attached newly-issued Fee Transmittal Form or in connection with the publication of this application, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date:

Sept 16, 04

By:

Susan M. Dadio
Susan M. Dadio
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¹ Applicants also submitted, on December 8, 2003, an Advance Order and the required \$6.00 fee for two copies. *See* Exhibit A (postcard). Applicants request that this previously paid amount be applied to the Advance Order for two copies requested in the attached newly issued Part B-Fee Transmittal form.



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Keiko NERIISHI et al.

Application No.: 09/749,410

Filed: December 28, 2000

For: DNA DETECTION DEVICE

) **MAIL STOP ISSUE FEE**

) Confirmation No.: 5255

PAYMENT OF ISSUE FEE AND PUBLICATION FEE
AND AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT FOR ANY DEFICIENCY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

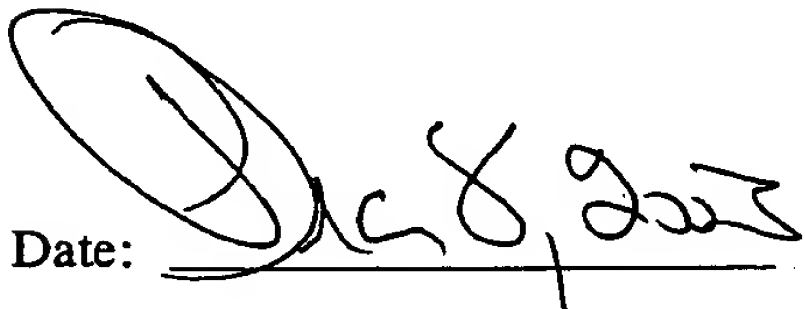
Sir:

A check for the required Issue Fee and Publication Fee in the above-identified application is enclosed. If the check has become separated from this paper, or if the amount of the check is incorrect, the Director is hereby authorized to charge any fees under 37 C.F.R. §§ 1.18, 1.19, and 1.21 that may be required by the attached Issue Fee Transmittal Form or in connection with the publication of this application, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

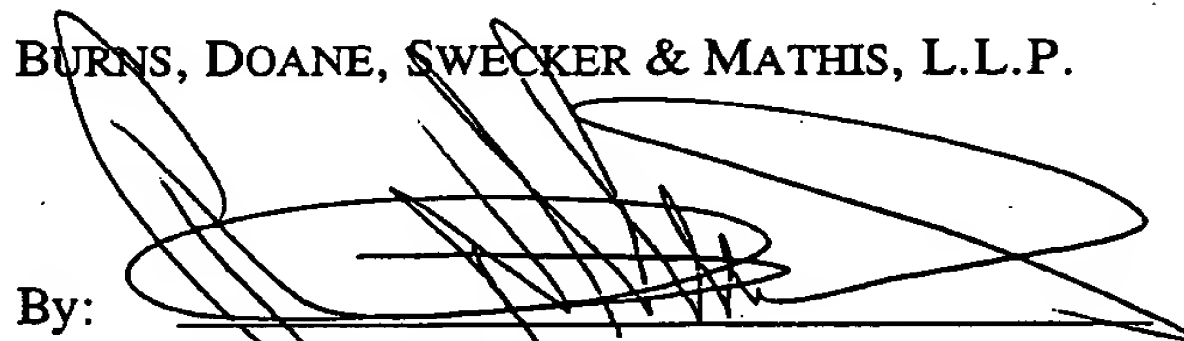
Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date:



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Inventor: Keiko NERIISHI et al.

Appln. No.: 09/749,410

Filing Date: December 28, 2000

Docket No.: 030662-066

Work Atty.: PNM/mas

Date: Dec 8, 2003



The following was/were received in the U.S. Patent and Trademark Office on the date stamped hereon: 20

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| <input type="checkbox"/> Amendment or Response | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Check for \$ <u>1,636.00</u> is enclosed |
| <input type="checkbox"/> Preliminary Amendment | <input type="checkbox"/> Certificate Under 37 C.F.R. § 3.73(b) | <input type="checkbox"/> Check for \$ <u> </u> is enclosed |
| <input type="checkbox"/> Reply Transmittal Letter | <input type="checkbox"/> Transmittal Letter for Missing Parts of Application | <input type="checkbox"/> Charge \$ <u> </u> to Deposit Account |
| <input type="checkbox"/> Petition for <u> </u> Month Extension of Time | <input type="checkbox"/> Executed Declaration/Power of Attorney | <input checked="" type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Submission of Formal Drawings w/ <u> </u> sheet(s) of drawings (Fig(s). <u> </u>) | <input type="checkbox"/> Assignment/Assignment Recordation Form Cover Sheet (PTO-1595) | <input checked="" type="checkbox"/> Payment of Issue Fee and Publication Fee and Authorization to Charge Deposit Account for Any Deficiency |
| <input type="checkbox"/> Request for Approval of Drawing Changes w/ <u> </u> sheet(s) of red ink drawings | <input type="checkbox"/> Claim for Convention Priority w/ <u> </u> certified copy(s) | <input type="checkbox"/> Request for Refund |
| <input type="checkbox"/> Notice of Appeal | <input type="checkbox"/> Information Disclosure Statement w/ <u> </u> document(s) | <input type="checkbox"/> Status Inquiry |
| <input type="checkbox"/> Brief for Appellant | <input type="checkbox"/> Information Disclosure Citation (PTO-1449) | <input type="checkbox"/> Request for Corrected Filing Receipt w/copy of Official Filing Receipt |
| <input type="checkbox"/> Request for Oral Hearing | <input type="checkbox"/> Information Disclosure Statement Transmittal Letter | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Reply Brief | <input type="checkbox"/> Request for Corrected Notice of Recordation of Assignment w/copy of Notice | |
| <input type="checkbox"/> Response to Restriction Requirement or Election of Species | <input type="checkbox"/> Request for Continued Examination | |



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